

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA
7

8 CLARK HAMER,

9 Plaintiff,

10 vs.

11 STATE OF NEVADA BUREAU OF
12 VOCATIONAL REHABILITATION
EMPLOYMENT AND TRAINING,

13 Defendant.
14

Case No. 2:15-cv-01036-GMN-GWF

ORDER

15 This matter is before the Court on Plaintiff's Motion to Order the Issuance of Complaint and
16 Summons (ECF No. 27), filed on January 30, 2017, Motion to Issue Complaint and Summons and
17 for Modification of the Number of Defendants (ECF No. 29), filed on April 7, 2017, and Motion to
18 Issue and Serve Summonses (ECF No. 33), filed on June 9, 2017. Also before the Court is
19 Plaintiff's Motion to Update Current Status of Summons and Complaint (ECF No. 36), filed on
20 June 23, 2017.

21 On September 26, 2016, Plaintiff filed his "third" amended Complaint¹. ECF No. 19. On
22 April 7, 2017, Plaintiff requested to modify the number of defendants and/or their capacities to be
23 charged but did not provide the names or entities of the defendants. *See* ECF No. 29. Plaintiff
24 listed twelve individuals in his third amended complaint and described them as employees of the
25 State of Nevada "that had a hand in directly depriving [him] of [his] privileges as a client and citizen
26 of the United States, while violating State and Federal regulations." *See Third Amended Complaint*
27

28
¹ Although it is his second amended complaint, Plaintiff titled it as his third amended complaint and the Court will refer to it as the third amended complaint hereinafter.

1 (ECF No. 19), pg. 3. On May 24, 2017, the Court screened Plaintiff's third amended complaint,
2 recommended that Plaintiff's discrimination claim against the Nevada Disability and Advocacy Law
3 Center ("NDALC") be dismissed, and ordered the Clerk of Court to issue summons to Defendant
4 Nevada Bureau of Vocational Rehabilitation ("NBVR"). On June 9, 2017, Plaintiff requested that
5 the Court order the Clerk of Court to issue summons to ten individuals as defendants.

6 Although Plaintiff identified individuals in his third amended complaint, they were not
7 named as individual defendants or parties to this matter and the Court did not authorize Plaintiff to
8 file an amended complaint against them. The Court, therefore, denies Plaintiff's request to serve
9 summonses against the individual defendants listed in his third amended complaint without
10 prejudice to Plaintiff filing a motion to amend with an attached proposed amended complaint
11 according to the Local Rules of Practice for the District of Nevada and the Federal Rules of Civil
12 Procedure. In his June 23, 2017 motion, Plaintiff appears to be updating the Court on the service of
13 his third amended complaint upon Defendant NBVR and does not request any specific form or
14 relief. Accordingly,

15 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Order the Issuance of Complaint and
16 Summons (ECF No. 27), Motion to Issue Complaint and Summons and for Modification of the
17 Number of Defendants (ECF No. 29), and Motion to Issue and Serve Summonses (ECF No. 33) are
18 **denied**.

19 **IT IS FURTHER ORDERED** that Motion to Update Current Status of Summons and
20 Complaint (ECF No. 36) is **denied** as moot.

21 DATED this 10th day of July, 2017.

22
23 
24 GEORGE FOLEY, JR.
25 United States Magistrate Judge
26
27
28